

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

Blue Spike, LLC,

*Plaintiff,*

v.

Texas Instruments, Inc., et al.,

*Defendants.*

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CASE NO. 6:12-cv-499 MHS

LEAD CASE

Jury Trial Demanded

Blue Spike, LLC,

*Plaintiff,*

v.

Tygart Technologies, Inc.,

*Defendant.*

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CASE NO. 6:13-CV-129 MHS

CONSOLIDATED CASE

Jury Trial Demanded

**AGREED MOTION TO DISMISS TYGART TECHNOLOGIES, INC.**

Plaintiff Blue Spike, LLC, on the one hand, and defendant Tygart Technologies, Inc., on the other, have reached a settlement of the above-captioned matter and have agreed to dismiss the claims, counterclaims, and causes of action between them.

Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Blue Spike, LLC stipulates to the dismissal with prejudice of all claims and causes of action asserted in this case against defendant Tygart Technologies, Inc., and defendant Tygart Technologies, Inc. stipulates to the dismissal with prejudice of all counterclaims and defenses asserted in this case against Blue Spike, LLC. The parties shall bear their

own attorneys' fees, expenses and costs.

By: /s/ Randall T. Garteiser

Randall T. Garteiser  
Lead Attorney  
Texas Bar No. 24038912  
rgarteiser@ghiplaw.com  
Christopher A. Honea  
Texas Bar No. 24059967  
chonea@ghiplaw.com  
Christopher S. Johns  
Texas Bar No. 24044849  
cjohns@ghiplaw.com  
GARTEISER HONEA, P.C.  
218 North College Avenue  
Tyler, Texas 75702  
(903) 705-0828  
(903) 526-5477 fax

Kirk J. Anderson  
California Bar No. 289043  
Peter S. Brasher  
California Bar No. 283992  
GARTEISER HONEA, P.C.  
44 North San Pedro Road  
San Rafael, California 94903  
(415) 785-3762  
(415) 785-3805 fax

By: /s/ Douglas R. McSwane, Jr.

Douglas R. McSwane, Jr.  
Potter Minton, P.C.  
110 N. College Ave.  
Suite 500  
Tyler, TX 75702  
(903) 597-8311  
(903) 593-0846 – facsimile  
dougmcswane@potterminton.com

Michael G. Connelly  
Admitted *pro hac vice*  
Spilman, Thomas & Battle, PLLC  
One Oxford Centre  
301 Grant St.  
Suite 3440  
Pittsburgh, PA 15219  
(412) 325-3317  
(412) 325-3324 – facsimile  
mconnelly@spilmanlaw.com

*Counsel for Defendant*  
*Tygart Technologies, Inc.*

***ATTORNEYS FOR BLUE SPIKE, LLC***

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Federal Rule of Civil Procedure 5(d) and Local Rule CV-5(d) and (e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by email.

/s/ Randall T. Garteiser

**CERTIFICATE OF CONFERENCE**

I certify that on behalf of Blue Spike, LLC, I have met and conferred with counsel for Defendant on January 7, 2013 regarding the relief requested herein. Counsel for Defendant has agreed to this motion.

/s/ Christopher A. Honea